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To: 'microsoft.atr(a)usdoj.gov'
Date: 1/23/02 3:02pm
Subject: tunney act - settlement proposal by government

To whom it may concern:

I read, with deep horror, the DOJ-Microsoft proposed 'settlement' to US vs Microsoft. Microsoft has basically killed any competition in my industry (I work as an independent consultant, constantly trying to dodge microsoft products and failing), was shown to do so both in Judge Jackson's court, and in the court of appeals, and shows absolutely no sign of changing any of their business practices to help restore competition in the industry.

And yet they just might get away with a 'slap on the wrist' - the DOJ has proposed a consent-decree like settlement, when Microsoft has ignored all consent-decrees in the past. In addition, the consent decree is so loosely worded that Microsoft could follow it to the letter and not change a thing about their business practices.

Anyways, I - and pretty much the rest of the computer industry not affiliated with Microsoft - implore your office to please deeply consider both the wording and the effect that the settlement would have on an industry already woefully devoid of competition. We cannot afford to have one entity run roughshod over what should be highly competitive - namely the computing infrastructure of this country. And that is what is going to happen if Microsoft is not given severe enough punishment for its crime - it will leverage its monopoly in the desktop arena and office applications to try to reach a monopoly in home computing appliances (ie: xbox), computing services (.NET), palm appliances (PocketPC), and so on.

And even if they fail in doing so, their business practices in the past ensure that they will greatly harm the remaining competition - and the weak economy will only serve to help Microsoft crush the competition better, and further consolidate an already too-consolidated industry. So the settlement proposed does not go nearly far enough - the dissenting states are more on the right track.

Ed

(ps - as an independent consultant I am not affiliated with any of the parties that testified at trial. And I'd be happy to expound on the opinion mentioned - if you want, I can be reached at 650.464.2156)